UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/022,795	12/20/2001	Mark Andrew Dinan	NUM 07.01	4791

48008 7590 05/21/2010	EXAMINER
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ART UNIT	PAPER NUMBER
2457	

NOTIFICATION DATE	DELIVERY MODE
05/21/2010	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *06 August 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-16 and 25-30* is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1, 3-16 and 25-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All b)☐ Some * c)☐ None of:

    1.☐ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
  Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to amendment RCE on Jan. 24, 2008. Claims 2 and 17-

24 were canceled. Claims 25-28 were newly added. Claims 1 and 11 were amended.

Claims 1, 3-16 and 25-28 are pending examination.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1 and 3-16 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Chesley et al., U.S. Patent No. 7,065,553 (referred to hereafter as Chesley) in view

of Gudorf et al., U.S. Patent No. 7,140,045 (referred to hereafter as Gudorf).

As to claims 1 and 11, Chesley teaches a method and system wherein a user

interacts within an immersive online community having avatar virtual objects, the

method comprising the steps of:

interconnecting multiple computer using communication mechanisms optimized

for low bandwidth connections (see col. 7 lines 11-22);

compiling a script into compact byte-code representation optimized for low

bandwidth clients that is inserted into the text of a webpage enabling low bandwidth

clients to interact with the immersive virtual world;

enabling an interface engine corresponding to each client to interpret the byte-code representation (see col. 3 lines 1-22 and col. 1 lines 45-67, a scripting language is used such as DHTML to overcome the limitation of low bandwidth connection);

defining functions for a chat room that corresponds to the webpage with the interface engine on the client side, wherein the interface engine associated with each client is communicatively coupled to a chat server that is on a server side (see col. 27 lines 20-37)

providing a set of user that allows users of each client computer to select a set of characteristics to represent avatar objects wherein each of said characteristics is associated with a unique personality specified led by the user arid represents the user in the online community (see col. 6 lines 27-52 and col. 7 lines 36-65, multiple avatars represent multiple users),

providing a set of interface tools that are configured to support having said avatar objects interacting with each other utilizing so that said avatar objects receive real-time responses to stimuli initiated by other avatar objects (see col. 6 lines 27-52 and col. 8 lines 29-42, user may use the interface to move the avatar or other objects), and

said avatar objects interactively passing user generated content between said avatar objects and said user under administrative controls (see col. 8 lines 29-42), and

said users, through said computers, controllably navigating said avatar objects within the confines of the immersive online community (see col. 8 lines 29-42).

Chelsy also teaches the interface tool comprises a Java enabled interface. Chelsey does not explicitly teach downloading Java applet into a web broswser.

However it is very well known in the art as evident by the teaching of Gudorf, that Java applet are downloaded to web browsers (see col. 3 lines 5-27). It would have been obvious for one of the ordinary skill in the art at the time of the invention to download Java applets into the interface software taught by Chelsy. Motivation not only comes from the knowledge well known in the art for using Java applets but also from the teachings of Gudorf, one of the ordinary skill in the art would be motivated to do so because a java applet has the advantage of being executable by various processors on different computer platforms and an applet is conducive to internet-related applications because, among other things, it can be conveniently distributed over the Internet to multiple classes of users.

As to claims 3 and 12-13, Chesley teaches the method and system of claims 1 and 11 wherein the navigation is metaphorically correct representation of a three dimensional world (see col. 2 lines 1-10).

As to claim 4, Chesley teaches the method of claim 1 wherein the response to stimuli includes said users sending projectiles between at least one avatar object and another avatar object (see col. 20 lines 50-col. 21 lines 57).

As to claim 5, Chesley teaches the method of claim 1 wherein the response to stimuli Includes said user dancing in a metaphorically correct manner (see col. 20 lines 50-col. 21 lines 57).

As to claim 6, Hichata teaches the method of claim 1, wherein the response to stimuli Includes a user playing games with other avatar objects (see col. 20 lines 50-col. 21 lines 57).

As to claims 7 and 14, Chesley teaches the method and system of claims 1 and 11 wherein said users create objects using interactive Java tools to interact within the immersive online community (see col. 20 lines 50-col. 21 lines 57).

As to claims 8 and 15, Chesley teaches the method of claim 1 wherein said user employs verbal invocations that leads to actions such as projectile throwing dancing and game playing (see col. 20 lines 50-col. 21 lines 57).

As to claim 9, Chesley teaches the method d of claim 1 wherein said user participates in the economy on the immersive online community via use of an economy tool (see col. 20 lines 50-col. 21 lines 57).

As to claim 10, Chesley teaches the method of claim 1 wherein the administrative controls provide governance and logging to user actions with the immersive online community (see col. 20 lines 50-col. 21 lines 57).

As to claim 15, Chesley teaches the system of claim 11 further includes an interface engine residing within a Java environment, the interface engine updating dynamically using standard class libraries (see col. 14 lines 50-55 and col. 6 lines 39-52).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 25-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chesley in view of Gudorf, further in view of Murakami et al., U.S. Patent No. 6,978,292 (referred to hereafter as Mura).

Chesley teaches a method and system wherein a user interacts within an immersive online community having avatar virtual objects. Neither Chesley nor Gudorf teach a filtering tool to filter words using a list of words.

Mura, however, teaches a system and method for monitoring instant messages in a chat session and determining if the messages contains words that are included in a blacklist, in response to the determination, blocking the message from reaching other participants in the chat session (see col. 4 lines 17-53). It would have been obvious for one of the ordinary skill in the art at the time of the invention to install and use the filter of Mura in the interface of Chesley. Motivation to so is explicitly taught by Mura because using the filter would allow the administrator to block messages that include offensive language and even force a participant to leave the chat session if it is determined that the messages are offensive and therefore chat in more friendly environment (see Mura col. 4 lines 31-38).

4.   Claims 29-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chesley.

Chelsey teaches a system and method defining functions for a chat room that corresponds to the webpage with the interface engine on the client side, wherein the interface engine associated with each client is communicatively coupled to a chat server that is on a server side (see col. 27 lines 20-37).

Chelsey does not explicitly teach that the users use a graphical chat bubble. Chat bubbles are so widely used in chat rooms using avatars and therefore official notice is taken that it would have obvious for one of the ordinary skill in the art at the time of the invention to implement the use of chat bubbles in the chat rooms of Chelsey. Motivation to do so comes from the knowledge well known in the art that using chat bubbles has a better look than the traditional presentation of chat messages in a list-like order and therefore would make the method and system more user friendly.

Response to Arguments

5.   Applicant's arguments have been fully considered but are moot in view of the new grounds of rejection.

6.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUSSEIN A. EL CHANTI whose telephone number is (571)272-3999. The examiner can normally be reached on Mon-Fri 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hussein Elchanti/
Primary Patent Examiner

March 23, 2010